IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 13305 of 1994

Between:

Nemani Nookaraju S/o late Sitaramswamy
Visakhapatnam

..... PETITIONER

AND

1 Pericherla Appalanarasimharaju S/o Lakshmipathiraju
R/o Gudivada (V), Visakhapatnam Dist.
2 The District Judge, Visakhapatnam
3 The Special Officer-cum-Principal District Munsif, Yellamanchili,
Visakhapatnam Dist.

.....RESPONDENTS.

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Certiorari, calling for the records of the District Judge, Visakhapatnam the 2nd respondent herein quash his judgment in ATA 6/91 on his file and restore the order of the Special Officer cum-Principal District Munsif, Yellamanchili, in ATC No.2/87 and direct the eviction of the 1st respondent herein.

Counsel for the Petitioner :MR.K.V.SUBRAMANYA NARASU

Counsel for the Respondent No.1: Mr. M.Adinarayana.

Counsel for the Respondent Nos.2 &3: GP FOR REVENUE

The Court made the following :

ORDER:

It is represented by the learned counsel for the first respondent that the first respondent died and in spite of intimation given to the petitioner, no steps have been taken to bring the legal heirs on record. In view of the same, no cause of action survives.

The writ petition is, accordingly, dismissed. No costs.

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B. PRAKASH RAO, J

10th March 2005.

Chvn.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER.

To

1 The District Judge, Visakhapatnam.
2 The Special Officer cum-Principal District Munsif, Yellamanchili, Visakhapatnam District.

3 Two C.Cs. to the G.P. for Revenue, High Court Buildings, Hyderabad (OUT).

4 Two C.D. copies.